

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**TRENT WARREN,
#Y20422,**

Plaintiff,

v.

LT. WALL, *et al.*,

Defendants.

Case No. 20-cv-01295-SPM

MEMORANDUM AND ORDER

MCGLYNN, District Judge:

This matter is before the Court on a motion for appointment of counsel (Doc. 35) and a motion requesting help to identify Sgt. John Does (Doc. 36) filed by Plaintiff Trent Warren.

I. Motion for Appointment of Counsel

Warren's motion for appointment of counsel is **DENIED**.¹ Warren states that he previously sought counsel in this matter, and the Court denied his motion without prejudice. He asserts that "at that time Plaintiff previously provided the Court with 5 law firms that denied to take this case." (Doc. 35, p. 1). However, these assertions are incorrect. The motion currently before the Court and filed on February 25, 2022, is the only time that Warren has sought the Court's assistance in finding counsel to represent him in this matter. Thus, he has not provided sufficient information for the Court to determine if he has made a reasonable effort to obtain counsel on his own, and so, he has failed to meet his threshold burden of making a "reasonable attempt" to secure counsel. *See Santiago v. Walls*, 599 F.3d 749, 760 (7th Cir. 2010).

¹ In evaluating the motion for appointment of counsel, the Court applies the factors discussed in *Pruitt v. Mote*, 503 F.3d 647, 654 (7th Cir. 2007) and related authority.

Should Warren choose to move for recruitment of counsel at a later date, the Court directs him to include in the motion the names and address of at least three attorneys he has contacted, and if available, attach the letters from the attorneys who declined representation. The Court is aware that Warren is currently litigating other civil suits in this district, and Warren is reminded that he must show that he has sought counsel to represent him in this particular case. The Clerk of Court is **DIRECTED** to send Warren a copy of the docket sheet so that he may see what has been filed.

II. Motion Requesting Help to Identify Sgt John Does

Two defendants, John Does 1 and 2, currently remain unidentified. Warren was given until April 25, 2022, to identify these individuals and file a motion to substitute. (Doc. 33). On April 25, 2022, Warren filed the current motion stating that he gave defense counsel information to assist with identifying the John Does, and Defense Counsel has not provided the documents requested. (Doc. 36).

In response, Defense Counsel states that she inadvertently missed Warren's request for document production regarding the John Does because the request was at the end of his initial disclosures. She has requested rosters dated March 14, 2020, and will send the documents to Warren upon receipt.

The motion requesting help is **GRANTED IN PART**. (Doc. 36). Warren will be given additional time to continue engaging in limited discovery for the purposes of identifying the John Does. Warren shall have until **July 29, 2022**, to file a motion to substitute specific Defendants for the John Does or, if a John Doe remains unidentified, to file a motion specifying additional steps that can be taken to identify the John Doe. **Failure to file a motion to substitute by this date will result in the dismissal of the John Does without prejudice**. Warren is reminded that in addition to requesting documents, he is to give Defense Counsel any descriptive information he possesses

that will help identify the John Does.

DISPOSITION

For the reasons stated above, the motion for appointment of counsel is **DENIED** and the motion requesting help is **GRANTED in part**. Warren shall have until **July 29, 2022**, to file a motion to substitute specific Defendants for the John Does.

The Clerk of Court is **DIRECTED** to send Warren a copy of the docket sheet.

IT IS SO ORDERED.

DATED: July 8, 2022

s/Stephen P. McGlynn
STEPHEN P. MCGLYNN
United States District Judge